1	EDMUND G. BROWN JR., Attorney General	
2	of the State of California GLORIA BARRIOS,	
3	Supervising Deputy Attorney General EARL R. PLOWMAN, State Bar No. 54339	
4	Deputy Attorney General California Department of Justice 300 So. Spring Street, Suite 1702	
5	Los Angeles, CA 90013 Telephone: (213) 897-2536	
6	Facsimile: (213) 897-2804	•
7	Attorneys for Complainant	
8	BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF CALIFOR	NIA
11	In the Matter of the Accusation Against:	Case No. 2009-203
12	LISA ANNE GOLDSBURY CHISHOLM, AKA	ACCUSATION
13	LISA ANNE GOLDSBURY, AKA LISA ANNE CHISHOLM 6128 Calle Arena	ACCUSATION
14	Camarillo, California 93012	
15	Registered Nurse License No. 511746	
16	Respondent.	
17		
18	Ruth Ann Terry, M.P.H., R.N. ("Complaina	nt") alleges:
19	<u>PARTIES</u>	
20	1. Complainant brings this Accusation	
21	Executive Officer of the Board of Registered Nursing ("Board") Department of Consumer	
22	Affairs.	
23	Registered Nurse License	
24	2. On or about May 31, 1995, the Board	
25	Number 511746 to Lisa Anne Goldsbury Chisholm, also known as Lisa Anne Goldsbury and	
26	Lisa Anne Chisholm ("Respondent"). The registered nurse	license expired on February 28, 2009.
27	///	
28		

JURISDICTION

	3.	Section 2750 of the Business and Professions Code ("Code") provides, in	
pertinent part,	that the	Board may discipline any licensee, including a licensee holding a	
temporary or an inactive license, for any reason provided in Article 3 (commencing with Code			
section 2750)	of the N	Jursing Practice Act.	

- 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
- 5. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

7. Code section 490 states:

A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

27 || ///

 $\parallel //$

8. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

- (b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.
- (c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Criminal Convictions)

- 10. Respondent is subject to disciplinary action under Code sections 2761, subdivision (f) and 490, in that Respondent has been convicted of the following crimes that are substantially related to the qualifications, functions, and duties of a licensed registered nurse:
- a. On April 1, 2005, in the Superior Court, County of Ventura, California, in the matter entitled *People vs. Lisa Anne Chisholm* (2005, Case No. 2004020663), Respondent was convicted on her plea of nolo contendere of violating Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol or drugs), a misdemeanor. The circumstances of the crime are that on or about May 23, 2004, Respondent was arrested after she was observed by two witnesses to be driving erratically and on the wrong side of the road.

- b. On October 3, 2006, in the Superior Court, County of Ventura, California, in the matter entitled *People vs. Lisa Anne Chisholm* (2006, Case No. 2006006982), Respondent was convicted on her plea of nolo contendere of violating Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol or drugs), a felony. The circumstances of the crime are that on or about November 30, 2005, Respondent drove a vehicle while under the influence of drugs, resulting in a collision with another vehicle, causing injury to Respondent and the other driver.
- c. On May 23, 2007, in the Superior Court, County of Ventura, California, in the matter entitled *People vs. Lisa Anne Chisholm* (2007, Case No. 2007016436), Respondent was convicted on her plea of guilty of violating Vehicle Code section 12500, subdivision (a) (unlicensed driver), a misdemeanor. The circumstances of the crime are that on or about April 25, 2007, Respondent was arrested for driving a vehicle without a valid driver's license.

SECOND CAUSE FOR DISCIPLINE

(Conviction of a Crime Involving Alcoholic Beverages and or Drugs)

11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (c), in that Respondent has been convicted of a crime involving alcoholic beverages, as more particularly set forth in paragraph 10, above.

THIRD CAUSE FOR DISCIPLINE

(Use Alcoholic Beverages to an Extent or in a Manner Dangerous or Injurious)

12. Respondent is subject to discipline under Code section 2761, subdivision

(a) on the grounds of unprofessional conduct as defined in Code section 2762, subdivision (b), in that on or about April 4, 2004, Respondent used alcoholic beverages to an extent, or in a manner dangerous or injurious to herself.

PRAYER

	•	
WHEF	REFORE, Complainant requests that a hearing be held on the matters herein	
alleged, and that following the hearing, the Board of Registered Nursing issue a decision:		
1.	Revoking or suspending Registered Nurse License Number 511746, issued	

to Lisa Anne Goldsbury Chisholm, also known as Lisa Anne Goldsbury and Lisa Anne Chisholm;

- 2. Ordering Lisa Anne Goldsbury Chisholm, also known as Lisa Anne Goldsbury and Lisa Anne Chisholm to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: 3/23/09___

RUTH ANN TERRY, M.P.H., R.N.

Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California

Complainant

26 | 03579110LA2008601649 | Chisholm (rev).wpd | revised

(03/03/09)